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VIA ECF

Honorable Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Yuyan Lin v. Amazon.com, Inc. and Amazon.com Services, LLC,
No. 21-CV-6203 (KAM) (MMH)

Dear Judge Matsumoto:

This firm represents Defendant Amazon.com Services, LLC in the above-referenced matter. Defendant writes jointly with Plaintiff to respectfully request a settlement conference before Your Honor at a date and time at your convenience.

Pursuant to the Court's suggestion at the September 12, 2022 conference, the parties have re-engaged in settlement discussions. On October 6, 2022, Plaintiff provided Defendant with a revised settlement demand, in response to which Defendant later that day replied with a counteroffer. After several further exchanges, the parties agreed to request Your Honor's assistance in mediating the continued settlement discussions.

The parties acknowledge that they participated in a settlement conference with Judge Henry on July 5, 2022. The parties thank Judge Henry for her efforts during the parties' first settlement conference and they wish to make clear this request in no way is a commentary on their respect for and confidence for Judge Henry's ability to mediate a settlement. Furthermore, the parties also recognize that as a general practice, the Magistrate Judge assigned to a case conducts settlement conferences; however, the Dispute Resolution Procedures for the Eastern District of New York do provide that the District Judge "[may] help with settlement negotiations as their calendars permit". E.D.N.Y. Dispute Resolution Procedures ¶ IV, *available at* <http://www.nyed.uscourts.gov/sites/default/files/forms/DisputeResolutionProcedures.pdf>.

Even as the parties have resumed settlement discussions, it is evident that the Court's involvement is necessary to bridge the considerable gap. The parties respectfully submit that special circumstances here specifically necessitate Your Honor's participation. As the Court is aware, Plaintiff is continuing to proceed in this litigation without legal counsel. Further, Judge Henry has already greatly endeavored to mediate a settlement and it is also Defendant's belief

that no person could have achieved a different outcome. Yet, after several conferences, Plaintiff appears to have developed a confidence in this Court and a belief of the Court's ability to mediate a fair resolution.

Given Plaintiff's apparent intent to proceed *pro se* for the remainder of this case, and in light of the Court's desire for the parties to revisit settlement discussions, the parties respectfully submit that the best chance at a resolution is a settlement conference in the near future with Your Honor.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/

Eli Z. Freedberg

Gary Moy

Attorneys for Defendant

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